

No. 11969-4Lab-74/38063.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of M/s Universal Refrigeration Industry Bahadurgarh.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK.

Reference No. 4 of 1971

between

SHRI RAM PHAL AND AND THE MANAGEMENT OF M/S UNIVERSAL REFRIGERATION  
INDUSTRY BAHADURGARH.

Present.—

Shri Onkar Purashad for the workman.

Shri R. C. Sharma, for the management.

#### AWARD

By Order No. ID/RK/116-C-73/4782-86 dated 27th December, 1973 of the Governor of Haryana, the following dispute between the management of M/s Universal Refrigeration Industries, Bahadurgarh and its workman Shri Ram Phal was referred for adjudication to this Court, in exercise of the powers conferred by clause (c) of sub-section (I) of Section 10 of the Industrial Disputes Act, 1947.

"Whether the termination of services of Shri Ram Phal was justified and in order? If not, to what relief is he entitled?"

On receipt of the order of reference, usual notices were given to the parties and they put in their respective pleadings. The only issue which arose for determination in the case was as per the term of reference stated above.

The management led some evidence by examining three witnesses. It is, however, not necessary to go into the evidence and the merits of the case as an amicable settlement has been arrived at between the parties and their statements have been recorded.

According to the settlement, the order of the termination of the services of the workman concerned Shri Ram Phal has been converted into one of retrenchment w.e.f. today, the 4th of December, 1974 and the management has agreed to pay to him full wages upto date and retrenchment benefits, as permissible under section 25F of the Industrial Disputes Act, 1947, in addition to the amount of bonus, leave wages, as may be found due to him after verification of the records. The management has, however, reserved the right to deduct from the dues so payable to the workman the amounts earned by him while working in the Hindustan Sanitary ware and Industry, Bahadurgarh about which the necessary information had already been collected. It has further been agreed that the total amount due to the applicant, after making the above deduction, shall be paid to him by the 7th of January, 1975 failing which he would be entitled to interest at 12% per annum on the amount due. The above terms of settlement have been accepted by the workman concerned and he has foregone his right of reinstatement or re-employment.

The award is, therefore, made in terms of the above settlement arrived at between the parties by which they would be bound. There shall, however, be no order as to costs.

O. P. SHARMA,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Dated 4th December, 1974.

No. 2862 dated 12th December, 1974

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.